

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

DOUGLAS HANDSHOE

PLAINTIFF

VS.

CIVIL ACTION NO. 1:15cv382HSO-JCG

VAUGHN PERRET, CHARLES LEARY &
DANIEL ABEL, D/B/A TROUT
POINT LODGE LTD OFNOVA SCOTIA
& IN THEIR INDIVIDUAL CAPACITIES
PROGRESS MEDIA GROUP LIMITED,
MARILYN SMULDERS, TORSTAR
CORPORATION, NATIONAL
GEOGRAPHIC SOCIETY, XYZ
FOUNDATION & JOHN DOES 1-50

DEFENDANTS

**DECLARATION OF Bert Bruser IN SUPPORT OF TORSTAR CORPORATION'S
MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT FOR
DAMAGES, DECLARATORY AND INUNCTIVE RELIEF**

I, Bert Bruser, declare that:

1. I am employed by Torstar Corporation, and my title is counsel. I have been employed with Torstar Corporation for 6 years. I have personal knowledge of all of the facts set forth in this Affidavit based upon information obtained from various sources, including my own personal knowledge and experience as counsel for Torstar Corporation as well as documents and records maintained in the regular course of business. I make this Affidavit based on my personal knowledge and reliable business records and sources of information as to the following facts and circumstances, and I could and would competently testify to these matters if called as a witness.

2. Torstar Corporation is a Canadian company whose subsidiary operates an online news

EXHIBIT

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site titled *The Toronto Star* in Canada. *The Toronto Star* predominately reports on Canadian news events or news events most relevant to its readers in Canada. *The Toronto Star's* readers predominately live in Canada.

3. On February 1, 2012, an article entitled “N.S. Court Orders Mississippi Blogger to Pay Gay Couple \$425,000” was published on *The Toronto Star's* website.

4. On February 24, 2014, an article entitled “Nova Scotia Couple Wins Copyright Lawsuit against Homophobic U.S. Blogger” was published on *The Toronto Star's* website.

5. Torstar Corporation does not have an office in Mississippi or any employees in Mississippi. Torstar Corporation does not solicit business in Mississippi or derive any income from Mississippi customers.

6. Torstar Corporation has not sent any takedown notices associated with material, images or publications posted by Mr. Douglas Handshoe. Torstar Corporation has not authorized any other person or entity to issue any takedown notices on its behalf as to any material, images or publications posted by Mr. Douglas Handshoe.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 29, 2016.

Bert Bruser

Bert Bruser